

FCC MAIL ROOM

Before the  
Federal Communications Commission  
Washington, D.C. 20554

NOV 22 6 17 PM '04

In the Matter of

Amendment of Section 73.202(b)  
Table of Allotments,  
FM Broadcast Stations.

(Islamorada, Florida)

MB Docket No. 04-205  
RM-10704

**REPORT AND ORDER**  
**(Proceeding Terminated)**

Adopted: November 17, 2004

Released: November 22, 2004

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rule Making*<sup>1</sup> issued in response to a petition for rule making filed by Paul B. Christensen, Esquire (Petitioner), requesting the allotment of Channel 283C2 at Islamorada, Florida, as the community's first local service. Petitioner filed comments, stating its continuing interest in pursuing the allotment, and its intention to apply for a construction permit. Additionally, Islamorada Broadcasters ("IB") filed comments in support of Petitioner's proposal, and stating its own interest in applying for the new facility if the allotment is granted. No other comments or counterproposals were received.

2. We believe the public interest would be served by allotting Channel 283C2 at Islamorada, Florida. Islamorada is a community for allotment purposes,<sup>2</sup> deserving of a first local service. Channel 283C2 can be allotted to Islamorada in compliance with the minimum distance separation requirements of the Commission's rules with a site restriction of 0.9 kilometers (0.6 miles) southwest of the community's reference coordinates at 24-55-05 North Latitude and 80-38-04 West Longitude. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, see 5 U.S.C. Section 801(a)(1)(A).

3. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective January 6, 2005, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED for the community listed below, as follows:

CommunityChannel No.

Islamorada, Florida

283C2

<sup>1</sup> *Islamorada, Florida and Pioche, Nevada*, 19 FCC Rcd 9254 (MB 2004).

<sup>2</sup> Islamorada is an incorporated village known as, "Islamorada, Village of Islands" with its own mayor and village council, fire and police departments, and schools. According to the 2000 U.S. Census, Islamorada has a population of 6,846 persons. Moreover, there are several local businesses including Islamorada Brick Company and Islamorada Pool Company. Petitioner provided information from the village web site while IB provided information from the Islamorada Chamber of Commerce demonstrating Islamorada is a "community" for allotment purposes.

4. A filing window period for Channel 283C2 for Islamorada, Florida will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent order.

5. IT IS FURTHER ORDERED, That the aforementioned proceeding IS TERMINATED.

6. For further information concerning a specific docket, contact Helen McLean, Media Bureau, (202) 418-2738.

**FEDERAL COMMUNICATIONS COMMISSION**

John A. Karousos  
Assistant Chief  
Audio Division  
Media Bureau